

VZCZCXRO1231

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RUEHNL RUEHQU RUEHRD RUEHRG RUEHRS RUEHTM RUEHVC  
DE RUEHBR #1581 2161922  
ZNR UUUUU ZZH  
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FM AMEMBASSY BRASILIA  
TO RUEHC/SECSTATE WASHDC PRIORITY 6241  
INFO RUEHRI/AMCONSUL RIO DE JANEIRO 2574  
RUEHSO/AMCONSUL SAO PAULO 7606  
RUEHRG/AMCONSUL RECIFE 5205  
RUEHWH/WESTERN HEMISPHERIC AFFAIRS DIPL POSTS

UNCLAS BRASILIA 001581

SIPDIS

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E.O. 12958: N/A

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SUBJECT: BRAZIL'S NEW ENVIRONMENTAL COURT

¶1. Despite being or potentially because of being one of the leading Brazilian-states in terms of environmental damages, Para (PA) has created the first Special Environmental Court in the country. The court, located in Para's capital, Belem, will try small-scale environmental crimes; those that could be punished by up to two years in prison. These include illegal hunting or fishing, cutting of forests and selling and transportation of wildlife species and plants.

¶2. The objective of the new court is to streamline the judicial process associated with environmental crime. Procedures that would take an average of a year and a half should now be solved in a maximum of ten days. Since the crimes that will be analyzed are considered minor offences, the court can issue alternative penalties such as financing environmental programs or undertaking community service. Although the new court will only be responsible for crimes that take place in Belem, the local government is already studying the possibility of implementing other Special Courts throughout the state.

¶3. Comment: It is important to point out that the slow judicial processes are one of Brazil's most pressing obstacles in combating environmental degradation. Compounding this issue, less than 5% of fines levied against environmental crimes are actually paid. Novel solutions such as this court could be one of a variety of first-steps to help minimize these problems. End Comment

SOBEL